

REMARKS

Claims 1-29 and 34-42 are pending in the above-captioned patent application after this response. Claims 14-29, 34 and 36-42 were allowed. Claims 1-13 and 35 have been rejected. The Applicant respectfully traverses the rejection of claims 1-13 and 35.

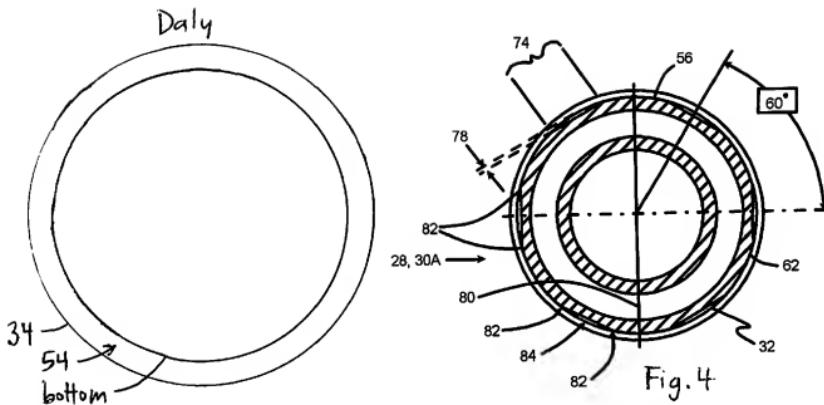
No new matter is believed to have been added by this amendment. Consideration of the pending application is respectfully requested.

Rejections Under 35 U.S.C. § 102(b)

Claims 1, 10 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Daly (US 5,199,168). The Applicant respectfully traverses the rejection of claims 1, 10 and 13 on the grounds that Daly does not teach or suggest the features of the rejected claims for several reasons, as set forth below.

The Patent Office states that Daly teaches a groove having “a groove bottom that is substantially linear in a direction along the groove length...”. Further, the Patent Office states in its response to the Applicant’s arguments that “applicant is not claiming a straight line. Further, the examiner shows a bottom groove that is substantially linear at 52, 54 and not element 50 as applicant is suggesting.” The Applicant strongly disagrees with this statement for the reasons which follow.

In contrast to the position of the Patent Office, Daly does not teach or suggest that the bottom of the groove 52, 54 is substantially linear. Although the groove is oriented in a straight line when viewed in two dimensions (as in Figure 3, for example), the bottom of the groove is naturally curved around the circumference of the roller. (See Figures 4 and 6, for example). The plain meaning of the term “linear” is defined as “relating to a straight line or capable of being represented by a straight line” by Encarta Dictionary. In other words, the groove bottom disclosed by Daly is not a straight line, but is curved to account for the rounded contour of the perimeter of the roller. Stated another way, the groove bottom is necessarily curved because the roller is curved and the groove has a uniform depth. In the diagram that follows, a side view of the roller in Daly is shown, with the surface 34 and the bottom (labeled as “bottom”) of groove 54 clearly illustrating that the bottom is circular and non-linear, in stark contrast to the groove bottom 100 of grooves 32 in the present invention. (See Figures 4 and 6, for example).



In contrast to Daly, claim 1 is directed toward a guide assembly that requires "a rotatable first roller including a perimeter surface, a circumference, a longitudinal axis and a groove disposed into the perimeter surface, the groove having a groove length in a direction substantially along the circumference, and a groove bottom that is substantially linear in a direction along the groove length." These features are not taught or suggested by the cited references. Thus, the rejection of claim 1 that relies on Daly is unsupported, should be withdrawn, and claim 1 should be allowed. Because claims 10 and 13 depend from claim 1, the rejection of these claims is likewise unsupported by Daly. Thus, the rejection under 35 U.S.C. §102(b) of claims 10 and 13 should similarly be withdrawn, and these claims allowed.

Rejections Under 35 U.S.C. § 103(a)

Claims 2-9, 12 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daly in view of Sawano et al. (JP 10-106074). Further, claims 5-9, 11-12 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hikita as applied to claims 1-4 and 10 above or Hikita as applied to claims 1-4, 10, 14-15, 20-21 and 26-27 above.

Additionally, as set forth above, claim 1 is believed to be allowable. Because claims 2-9, 12 and 35 depend directly or indirectly from claim 1, they are also believed to be allowable. Therefore, the Applicant respectfully submits that the rejection of these

claims should be withdrawn.

Finally, as provided in a prior Amendment and Response to Office Action filed on April 5, 2007, the Applicant respectfully traversed the rejection under 35 U.S.C. § 103(a) of claims 5-9, 11-12 and 35 on the grounds that Hikita cannot be used as prior art in this matter based on the declaration pursuant to 37 CFR §1.131 of inventor, Ken Hanscom, and the arguments in support thereof, filed previously on April 5, 2007.

Allowed Claims / New Claims

Claims 14-29, 34 and 36-42 have been allowed.

Conclusion

In conclusion, the Applicant respectfully asserts that claims 1-29 and 34-42 should be allowed. The Applicant submits that the application is in condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-635-2142 for any reason that would advance the instant application to issue.

Dated this 9th day of December, 2009.

Respectfully submitted,

/James P. Broder/

JAMES P. BRODER
Attorney for Applicant
Registration No. 43,514

ROEDER & BRODER LLP
9915 Mira Mesa Blvd., Ste. 300
San Diego, California 92131
Telephone: (858) 635-2142